

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

GEORGE KARP,

Plaintiff,

v.

ALONZO, et al.,

Defendants.

Case No.: 2:24-cv-02154-APG-NJK

## ORDER

On November 19, 2024, *pro se* plaintiff George Karp, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. Docket No. 1-1. The Court cannot consider the complaint because Plaintiff did not personally sign it. *See id.* Additionally, Plaintiff has neither paid the \$405 filing fee for this matter nor filed an application to proceed *in forma pauperis*. *See* Docket No. 1. Further, Plaintiff's mail from the Court has been returned as undeliverable, noting he's been transferred to Ely State Prison. Docket No. 3.

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status does not relieve an inmate of his obligation to pay the filing fee, it just means that he can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

1           “A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. “A  
 2 civil-rights complaint filed by a person who is not represented by an attorney must be submitted  
 3 on the form provided by this court or must be legible and contain substantially all the information  
 4 called for by the court’s form.” LSR 2-1. And the complaint must be signed personally by the  
 5 unrepresented party. Fed. R. Civ. P. 11(a).

6           Finally, Nevada Local Rule of Practice IA 3-1 instructs that a “pro se party must  
 7 immediately file with the court written notification of any change of mailing address, email  
 8 address, telephone number, or facsimile number.” “The notification must include proof of service  
 9 on each opposing party or the party’s attorney.” LR IA 3-1. “Failure to comply with this rule may  
 10 result in the dismissal of the action, entry of default judgment, or other sanctions as deemed  
 11 appropriate by the court.” *Id.*

12           Accordingly, for the reasons stated above,

13           IT IS ORDERED that, no later than **February 3, 2025**, Plaintiff must submit a signed  
 14 amended complaint to this Court. The submission of a mere signature page will not be enough.  
 15 Plaintiff is advised that an amended complaint replaces the original complaint. *See Hal Roach*  
 16 *Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989). This means the  
 17 amended complaint must contain all claims, defendants, and factual allegations that Plaintiff  
 18 wishes to pursue in this action. Plaintiff should file the amended complaint on this Court’s  
 19 approved civil-rights form, and it must be titled “First Amended Complaint.”

20           IT IS FURTHER ORDERED that, no later than **February 3, 2025**, Plaintiff must either  
 21 pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with  
 22 all three required documents: a completed application with the inmate’s two signatures on page 3;  
 23 a completed financial certificate that is signed both by the inmate and the prison or jail official;  
 24 and a copy of the inmate’s trust fund account statement for the previous six-month period.

25           IT IS FURTHER ORDERED that, no later than **February 3, 2025**, Plaintiff must file his  
 26 updated address with the Court.

27           IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this  
 28 action will be subject to dismissal without prejudice. A dismissal without prejudice allows

1 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a  
2 complete application to proceed *in forma pauperis* or pay the required filing fee.

3 The Clerk of the Court is **INSTRUCTED** to send Plaintiff George Karp courtesy copies  
4 of the approved form application to proceed *in forma pauperis* for an inmate and instructions for  
5 the same; the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same;  
6 his original complaint, Docket No. 1-1; and the advisory letter, Docket No. 2, by sending them to  
7 Ely State Prison's law library.

8 IT IS SO ORDERED.

9 DATED: December 3, 2024.

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11   
12 NANCY J. KOPPE  
13 UNITED STATES MAGISTRATE JUDGE  
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